IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 24480 of 2007(L)

PETITIONER:

PAUL P. MATHEW, AGED 54 YEARS,
S/O. MATHEW, PALLIKKAMALIL,
MACHIPLAVU P.O., MANNAMKANDOM VILLAGE.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS:
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1. DISTRICT COLLECTOR, IDUKKI,

2. REVENUE DIVISIONAL OFFICER,DEVIKULAM.

3. VILLAGE OFFICE, KANNAMKANDOM...

4. ASSISTANT EXECUTIVE ENGINEER,
NATIONAL HIGHWAY SUB DIVISION,
KOTHAMANGALAM.

5. ADIMALY SPECIAL GRADE GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY.

6. CIRCLE INSPECTOR OF POLICE,
ADIMALY POLICE STATION.

7. JOHNSON POULOSE,S/O.POULOSE,
MAZHUVANCHERIL,ADIMALY,IDUKKI DISTRICT.

8. RAVI.P., AGED 38 YEARS, LICENSEE, T.S. NO. 13/2007-2008,
MACHIPLAVU TODDY SHOP,
MACHIPLAVU KARA, MANNAMKANDOM VILLAGE.

9. ASSISTANT EXCISE COMMISSIONER, THODUPUZHA.

BY SENIOR GOVERNMENT PLEADER SMT.MEERA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.P.(C). NO. 24480 OF 2007 S

Dated this the 4th September, 2007

JUDGMENT

H.L.DATTU, C.J.

Petitioner calls himself a public spirited citizen.

2. The petitioner seeks for the following reliefs:

"a) Issue a writ of mandamus or any other appropriate writ, order or direction and thereby command the respondents 1 to 6 to take immediate action to evict the 7th respondent from the puramboke land and the building therein which is situated at Machiplavu Post Office Junction in Madurai Kochi National Highway;

b) Issue a writ of mandamus or any other appropriate writ, order or direction and thereby command the respondents 1 to 6 to prevent the 7th respondent from carrying any sort of construction to the encroached puramboke land at Machiplavu-Mannamkandam Village and also to take necessary step to demolish the new and all construction erected in the encroached land;

c) Issue a writ of mandamus or any other appropriate writ, order or direction and thereby command the 9th respondent to prevent the 7th respondent from conducting toddy shop in a shed illegally constructed in the encroached puramboke land without obtaining any consent or permission from any of the concerned authorities in the Grama Panchayat; and

d) Grant such other reliefs, which are just and necessary in the interest of justice."

3. In our opinion, the petitioner can very well approach the appropriate civil court for appropriate reliefs.

4. In view of the above, we decline to entertain this Writ Petition. The Writ Petition is, therefore, rejected.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/